



2009 NAPABA CONVENTION

DESCRIPTIONS OF THE SELECTED PANELS

Please note that the schedule as indicated below is tentative and subject to change

NOVEMBER 20, 2009 – 9:30 AM

So You've Been RIF'ed: Making the Transition in These Troubled Times

Panelists will share their personal experiences in dealing with layoffs, activating their personal networks and finding new positions in a difficult job environment. Audience Q&A will be encouraged.

Panel Chair: Wendy Shiba

Panelists:

Moderator: Wendy Shiba, Executive Vice President, General Counsel and Secretary, KB Home
Myra Coleman Bierra, Vice President, Corporate Secretary and Securities Counsel, AGL Resources
Douglas T. Hirai, Compliance Officer - Information Controls, General Electric Capital Corporation
Vivian Hsu, Principal, Hsu & Associates LLC
Teri Plummer McClure, Senior Vice President, UPS

Emerging Verification Requirements and Their Impact on Immigrants

A growing number of government entities and private groups are using identity verification procedures to determine an individual's eligibility for employment and other benefits. Many of these verification requirements link eligibility to an individual's immigration status. This panel will highlight specific instances where verification requirements are being utilized, the impact of these verification requirements on immigrants, and civil rights concerns raised by such verification requirements, including the need for procedural safeguards for individuals subjected to potentially discriminatory screenings.

Panel Chair: Les Jin, Senior Counsel to the Assistant Attorney General of the Civil Rights Division in the U.S. Department of Justice

Panelists:

Moderator : Les Jin, Senior Counsel to the Assistant Attorney General of the Civil Rights Division in the U.S. Department of Justice
Margaret Hu, Special Policy Counsel in the U.S. Department of Justice, Civil Rights Division, Office of Special Counsel for Immigration Related Unfair Employment Practices
Byron F. Wong, U.S. Department of Justice, Civil Rights Division

The Changing Landscape of Labor Law in the U.S., China and Canada

Presentation and discussion of recent/upcoming and major legislative changes to labor-management laws in the U.S., China, Japan (and perhaps Mexico and Canada).

Panel Chair: Sang-yul Lee, Polsinelli Shughart PC

Panelists:

Moderator: Peter S. Ohr, NLRB

Grace H. Han, General Electric

Carl Cunningham, Bennett Jones LLP

Sang-yul Lee, Polsinelli Shughart PC

The Art of the Pitch: Best and Worst Practices in Winning Beauty Contests **SPONSORED BY SONNENSCHN NATH & ROSENTHAL LLP**

Have you ever wondered “What is the Art of Getting Business?” How much of it depends on the quality of the attorney or firm, versus, “likeability”? How do you, as an Asian American attorney, leverage your “Asian” assets to not only get the business but also get the credit or actually do the work? How do you, as an attorney in a mid-size or small local firm compete against a national “mega” firm to become panel counsel? -- OR, have you ever wondered “Gee, I thought that pitch went well – why didn’t I get the work?”

If any of these questions have ever crossed your mind – it is imperative that you attend this panel to watch, listen, and learn from General Counsels and in-house attorneys who actually make decisions as to which firms to hire for their work, and to watch our very own impressive group of partners “pitch” through various mock scenarios of “The Art of the Pitch – Mega Firms v. Mid-size Firms.”

Panel Chair: Linda Lu, Corporate Litigation, Allstate Insurance Company

Panelists:

The Client

Vivian Tseng, Vice President, General Counsel, and Secretary - Welch Foods, Inc.

Javade Chaudhri, Executive Vice President, General Counsel - Sempra Energy, Inc.

Bettina Yip, General Attorney - AT&T Services, Inc.

Stephanie Chin - Associate General Counsel, Litigation - Wal-Mart Stores, Inc.

The Law Firms

Mega Firm Partners:

Jacqueline Vidmar - Seyfarth Shaw LLP

Naho Kobayashi - Kilpatrick Stockton

Felix Woo - Sonnenschein Nath & Rosenthal LLP

Medium/Small Firm Partners:

Lori Yokoyama - Yokoyama & Associates

Fiona Ong - Shawe Rosenthal

Think Before You Hit Send: What You Must Know To Protect Attorney-Client Privilege of Corporations in the Global Business Environment

How easily can legal advice to your business clients turn up as evidence in a subsequent litigation or proceeding? Easier than you may think, especially if you play dual roles as in-house counsel or if your client, as most companies do, conducts business overseas. As major corporations have learned the hard way in recent decisions, it is trickier than ever to preserve the privilege of internal corporation communications. Add to this the vastly divergent, and often inconsistent, privilege rules overseas in Asia and Europe, and corporate counsel are likely to face thorny issues when attempting to assert privilege in

subsequent litigation. Learn about recent decisions in the U.S. and in Europe that impact what internal communications are protected and what you should do to protect your client's most sensitive information.

Panel Chair: Yuri Mikulka, Zuber & Taillieu, Los Angeles

Panelists:

Moderator: Yuri Mikulka, Partner, Zuber & Taillieu

Kevin Chung, Director and Senior Counsel, Employment and Litigation, VM Ware

Kenneth Oh, Corporate Counsel, Wal-Mart

Alan K. Tse, General Counsel, LG Electronics MobileComm USA

So You Think You Want To Run For Public Office?

This program will present a bipartisan panel of experienced candidates for elected office. Learn from their experiences (both good and ...not so good) as they describe what it takes to run an effective campaign for public office at any level of government. How do you know if you are ready to run for elected office? How do you effectively assemble a campaign staff? How do you become effective at campaign fundraising and developing a winning field plan for election day?

Panel Chair: Ben Lumicao, Counsel, Allstate Insurance Company

Treasurer, Asian American Action Fund – Greater Chicago Chapter

Panelists:

Harmeet Kaur Dhillon, Dhillon & Smith

Allan Fung, Mayor of Cranston, Rhode Island

Mark Keam, Candidate for the 35th District seat in the the Virginia House of Delegates

Asian Pacific Americans & Gay Rights: Parallel Histories and Shared Goals for Justice

SPONSORED BY DEWEY & LEBOEUF LLP

This panel will discuss the larger gay rights movement and the difficulties it faces, as well as recent changes that give the lesbian, gay, bisexual and transgender communities greater equality. In particular, the panel will discuss the significance of the Proposition 8 decision by the California Supreme Court and the future landscape of gay rights -- whether it be marriage, adoption rights, or hate crime legislation. The panel will also discuss the connection between setbacks and victories for the gay rights movement and the fight for Asian Pacific American civil rights. Finally, the panel will also examine how work in the APA community in California around Proposition 8 and the issue of marriage equality have resulted in significant changes in APA opinions on marriage equality and ultimately gay rights. One of the major strategies used for this work was organizing APA groups to endorse an APA-specific amicus brief in support of marriage equality.

Panel Chairs: David Tsai, Townsend and Townsend and Crew LLP

Panelists:

Hector Vargas, Lambda Legal

Karin Wang, Asian Pacific American Legal Center of Southern California

Janson Wu, Gay & Lesbian Advocates & Defenders (GLAD)

Why the Obama Administration's Largesse Comes with Strings Attached

Between a massive stimulus package, an expanded federal budget, and other programs, the Obama administration is injecting unprecedented amounts of government money into the U.S. economy in an effort to kickstart it. Many institutions will be first-ever recipients of government funding; many may not realize that their doing so will render them vulnerable to new areas of civil and criminal liability. In particular, the federal False Claims Act is extremely broad in sweep, contains expansive damages and liability provisions, and enacts powerful incentives for whistleblowers to bring private *qui tam* claims. Prior to the unprecedented government largesse in 2009, those exposed to False Claims Act claims had primarily consisted of health-care organizations and government contractors. Now financial institutions, mutual funds, finance companies, and others accepting stimulus funding or participating in troubled-asset purchase programs could also face whistleblower actions and increased regulatory scrutiny. This panel will discuss both the problem, and how companies can institute compliance programs and take other proactive steps to mitigate the risk of government enforcement actions.

Panel Chair: Michael Li-Ming Wong, Partner, Ropes & Gray LLP

Panelists:

Moderator: Michael Li-Ming Wong, Partner, Ropes & Gray LLP; former Assistant United States Attorney and Chief of White Collar Crimes for the Northern District of California

Aneezal Mohamed, Vice President and Associate General Counsel, Cardinal Health

Carol Lam, Vice President and Associate General Counsel, Qualcomm; former United States Attorney, Southern District of California

BJay Pak, Partner, Schiff Hardin; former Assistant United States Attorney for the Northern District of Georgia

NOVEMBER 20, 2009 – 11:00 AM

Value Challenge to Outside Counsel: General Counsel's Advice on Tying Legal Costs to Value and Sustaining a Productive Client Relationship **SPONSORED BY EDWARDS ANGELL PALMER & DODGE LLP**

The worldwide economic crisis is making the changing face of the legal profession change even faster. Chief legal officers are being compelled to take on the role of market maker and change agent in reconnecting the costs of outside legal services with value. Rather than being passive consumers of legal services as shaped and billed by outside counsel, they are at the forefront of a major sea-change that positions them to configure the product, define the lawyer-client relationship, and control pricing as never before. In 2008, Association of Corporate Counsel launched the "ACC Value Challenge" initiative, which seeks to reconnect value to costs for legal services. How are the CLOs restructuring relationships with outside firms? What are the best practices on budgeting and performance management? How are CLOs going about creating or trimming the list of preferred service providers? How are they implementing valued-based or alternative fees? This panel provides a dynamic discussion on cost control, solution-focused and value-added services, creative alternative billing arrangements, and good and bad practices by outside firms. This panel will provide a lively and insightful discussion on ways that outside counsel must provide and continue to improve value-driven, high-quality legal services that deliver solutions for a reasonable cost.

Panel Chair: Yabo Lin, Sonnenschein Nath & Rosenthal

Panelists:

Moderator: Yabo Lin, Partner, Sonnenschein Nath & Rosenthal LLP

Don H. Liu, Senior Vice President, General Counsel and Secretary, Xerox Corporation

Brian E. Cabrera, Vice President, General Counsel and Corporate Secretary, Synopsys, Inc.

Sheldon J. Quan, Vice President and Assistant General Counsel, The Clorox Company

Masters Class: Business Development Best Practices Interactive Workshop: Lessons from the International Committee

Business development skills are critically important for all NAPABA members to cultivate. This is especially true in international multi-cultural settings but the lessons apply domestically as well. Strong business development skills often enhance the trajectories and velocities of a professional's career, one's practice book, one's practice group as well as that of one's firm. In many firms, APA lawyers have excelled with proven BD skills as "money talks". In strong economies as well as in challenging times, the ability to help make rain and read the weather will help NAPABA members to close on opportunities and to navigate the storms. The International Committee will organize a series of panels, interactive audience participation workshops and small group breakout sessions and develop a series of reference work product to be shared with all NAPABA members. These formats will be organized by facilitators/rapporteurs selected by/from the International Committee to insure all attendees are participants/beneficiaries/contributors. If each attendee internalizes just one "take away", the lessons learned will illustrate how NAPABA improves the well-being and practical growth of its members. This first annual "Master's Class" will be repeated and supported by the International Committee every year to institutionalize a sustainable training element for the International Committee to share best practices in this critical continuing legal education arena.

Panel Chairs: Nicholas V. Chen

Phillip F. Shinn, Fox Rothschild LLP

Cedric Chao, Morrison & Foerster

Climbing the Corporate Ladder—2009 SPONSORED BY BINGHAM

Senior APA in-house lawyers and other legal professionals will share their unique insights on a broad range of issues from career planning to mentorship to successfully navigating office politics to working with outside counsel. Attendees will receive valuable guidance on the practical aspects of surviving and prospering in the in-house counsel environment. Audience Q&A will be encouraged.

Panel Chair: TBD

Panelists:

Moderator: Javade Chaudhri, Executive Vice President and General Counsel, Sempra Energy

Vivian Tseng, Vice President, General Counsel and Secretary, Welch Foods

Robert Yap, Chief Legal Officer, Vice President of Business and Government Affairs, Total Call

Pamela Gonzales de Cordova, VP and General Counsel, Volvo Financial Services Europe

Clinton Foy, General Counsel and Vice President of Legal & Business Affairs, Square Enix, Inc.

Jon Stanley, Senior Counsel, Bridgestone Americas Tire Operations, LLC.

Consumer Financial Protection Issues During the Economic Downturn: A Case Scenario

A client approaches you, seeking legal advice on a series of financial challenges – he is mired in credit card debt, he has fallen behind on car loan and mortgage payments, and his credit

score has taken a hit. What do you do, especially if this is not your practice area? This panel will walk you through a hypothetical case scenario, offering perspectives from government, industry, and non-profit consumer advocates on best practices. In particular, the panelists will discuss recently-enacted credit card protections, debt relief programs, auto loans, and credit repair.

Panel Chairs: Leah Frazier, Federal Trade Commission
Carolyn L. Hann, Federal Trade Commission

Panelists:

Leah Frazier, Federal Trade Commission
Carolyn L. Hann, Federal Trade Commission
Minh-Duc ("Ducie") Le, Capital One
Chi Chi Wu, National Consumer Law Center

Census 2010: Our Future is Right Around the Corner – Are You Ready?

April 1, 2010 is Census Day. Census is a critical component to all the work that we do.

Not only does it provide us with data upon which to develop our policy agenda, it is also the basis for our political empowerment and participation as a community. Our communities already have suffered and continue to suffer from past undercounts. Challenges facing the 2010 census indicate that the Asian American count may be worse than last time. There are tremendous implications for direct services agencies, civil rights enforcement and how the voting boundaries will be drawn through redistricting.

This panel will provide an overview on the census (what it is, why it's important), challenges facing the upcoming Census, and the impact of census on the work that we all do. The panel will also touch upon how census and redistricting relate and what some of the redistricting concerns are.

Panel Chair: Terry M. Ao, Director of Census & Voting Programs

Panelists:

Moderator: Terry M. Ao, Director of Census & Voting Programs
Eugene Lee, Asian Pacific American Legal Center (APALC)
Juanita Tamayo Lott, Tamayo Lott Associates
Corrine Yu, Senior Counsel and Managing Policy Director for the Leadership Conference on Civil Rights (LCCR)

The Massie Trials: Race, Honor, and Justice in Depression Era Hawaii

In September 1931, Thalia Massie, a young socialite married to a U.S. naval officer, was found near a Japanese tea house in Honolulu where she had earlier attended a party. She was bruised and her jaw had been broken. She told the police that she had been gang-raped by a group of Hawaiian men. Five young men -- two of Hawaiian, two of Japanese, and one of Chinese/Hawaiian descent -- were thereafter arrested and prosecuted. The evidence presented at trial was at best equivocal, and the trial ended with a 6-6 hung jury. In this program, in a dramatic presentation, we will reenact portions of the court proceedings, drawing from the actual trial transcripts.

Panel Chairs: Hon. Denny Chin, Southern District of New York
Vincent T. Chang, Wollmuth Maher & Deutsch, New York

Advanced Arbitration 201: Best Practices & Tips to Maximize Efficiency & Effectiveness in Arbitration

For attorneys in all practice areas who are seeking to improve their effectiveness in arbitral proceedings, this intensive workshop will cover the following topics:

- Statistics on the use of arbitration in commercial, employment and construction cases.
- Effective drafting of dispute resolution clauses: tips on drafting an effective clause in your client's contracts that will ensure they can use mediation and arbitration when most appropriate.
- Expedited, regular and panel arbitration procedures & rules: an explanation of the different types of arbitration, the variation in procedures, and how to select the proper type of arbitration for your client.
- Best practices in preparing for arbitration.
 - "Desk" or documents-only arbitration.
 - Advanced techniques to selecting the most suitable arbitrator(s).
 - Maximizing pre-hearing conferences.
 - Dispositive motions in arbitration.
 - Discovery & evidence presentations.
- Brief update on national legislation that may affect consumer, construction and employment arbitrations.
- Serving as an arbitrator: criteria & considerations.

Panel Chair: Lance Tanaka, Vice President, American Arbitration Association

Panelists:

Serena Lee, Vice President for the American Arbitration Association's Seattle regional office

Carol K. Young, Assistant Attorney General with the State of Connecticut's Construction Litigation Unit

NOVEMBER 20, 2009 – 2:00 PM

Business of "Green": What You Need to Know SPONSORED BY O'MELVENY & MYERS LLP

Regardless of what type of business your company or your law firm clients are engaged in, it is very likely that the recent corporate sustainability movement will impact your business in terms of greenhouse gas (GHG) emissions reporting requirements or energy efficiency Stimulus funding. This program will focus on the nuts and bolts of what legal and regulatory requirements are coming online or already mandatory for various organizations. The following topics will be briefly touched upon: 1) current compliance requirements—e.g., EPA's recent GHG reporting requirements; 2) prospective U.S. climate change legislation and Smart Grid regulations—what the cap and trade system would look like and what it will mean for non-energy businesses; 3) examples and explanations of legal documentation in the green economy: renewable energy credits (RECs) purchase agreements versus offtake power purchase agreements (PPAs); renewable tax incentive mechanisms; and energy efficiency retrofit service agreements.

Panel Chair: Judy Kim, Assistant General Counsel, Wal-Mart Stores, Inc.

Panelists:

Moderator: Judy Kim, Assistant General Counsel, Wal-Mart Stores, Inc.

Gregory Lawrence, McDermott, Will & Emery, Partner, Boston office

Prof. Tseming Yang, Vermont Law School, Director of the Partnership for Environmental Law in China

Eric J. Nield, Senior Vice President and General Counsel, Chicago Climate Exchange

Hon. Commissioner Rochelle Chong, California Public Utilities Commission, San Francisco, CA

Tuan Pham, Partner, Goodwin Procter LLP

How to Acquire New Products and Technologies: What's New/What's Not?

In light of continuing funding constraints and the ever increasing need to acquire and protect new technologies, we will consider the current state of M&A and licensing. The panel will discuss (i) developments in innovative structures (such as the recently announced reacquisition by Genzyme from Bayer of Campath), (ii) the pros and cons of outright acquisition versus licensing, especially in cross-border transactions, and alternatives to large upfront purchase price or milestone payments, (iii) recent pharma-biotech merger activity (BMS-Kosan, Eli Lilly-Imclone, Genentech-Roche, Pfizer-Wyeth, Merck-Schering) and (iv) the challenges of assessing intellectual property rights, regulatory issues and branding.

Panel Chair: Hemmie Chang, Ropes & Gray

Panelists:

Mahmood Ladha, Senior Director Corporate Business Development at Astra Zeneca Pharmaceuticals LP

Barbara Shimei, Director, Patents and Licensing, Bayer Pharmaceuticals Corporation

Immac (Casey) J. Thampoe, Ph.D., J.D., Senior Director, Patent Law, Schering-Plough Corporation

State Efforts to Regulate Immigration and the Impact on American Business

Throughout the country anti-immigrant groups have pushed State legislatures to consider legislation that would limit the rights of immigrants in their states. Laws have already been enacted in Arizona and Oklahoma mandating companies to utilize a federal employment verification system called E-verify to ensure the working status of their employees or lose their business licenses. In Texas, state officials have created onerous conditions on immigrants to obtain drivers licenses. Legislation is pending in state legislatures throughout the nation to expand the E-verify requirement, limit the issuance of all licenses to immigrants, and restrict immigrants rights to community supervision. Current and proposed legislation has detrimentally impacted businesses, even in states which have not passed such legislation.

This panel will look at current bills pending and proposed before state legislatures, efforts to combat anti-immigrant legislation, the impact on American businesses, and a consideration of the Constitutional issues surrounding State enforcement of immigration law.

Panel Chair: Vishal Chander, the Chander Law Firm

Panelists:

Moderator: Jared Leung

Rick Su, Associate Professor of Law at the State University of New York at Buffalo Law School

Ramey Ko, Texas Advocacy Project

Vishal Chander, the Chander Law Firm

Developing Your Own Trial Style – Finding the Themes, Personality, and Technology to Fit Your Case

Modern jury trials are not always about “just the facts.” Panelists will discuss some of the more subtle – but most important – aspects of trying a successful case, including: finding the right themes to fit your facts and witnesses; utilizing or adapting your own personality and style to communicate effectively to the jury and judge; and making appropriate use of technology in the courtroom – and knowing when to eschew technology altogether.

All the panelists will be experienced trial lawyers, who will discuss different trial techniques and strategies, applicable to different types of cases, in point / counterpoint style.

Panel Chairs: Ekwon Rhow, Bird Marella Boxer Wolpert Nessim Dooks & Lincenberg
Paul Chan, Bird Marella Boxer Wolpert Nessim Dooks & Lincenberg

Panelists:

Paul Chan, Bird Marella Boxer Wolpert Nessim Dooks & Lincenberg
Eric Kuwana, Katten Muchin Rosenman LLP
Ekwon Rhow, Bird Marella Boxer Wolpert Nessim Dooks & Lincenberg
Michael Li-Ming Wong, Ropes & Gray, LLP

What Korean Airlines' Plane Crashes Can Tell Us about Diversity?

As retold in Malcolm Gladwell's latest book, *Outliers*, Korean Airlines' planes were crashing far more often than any American or European carrier. The underlying cause was that the all-Korean cockpits were being too deferential to the captain. Unlike in American carriers, Korean Air co-pilots and flight engineers rarely spoke up to or challenged the captain, even when they knew that the planes were about to crash. The connection with law might not be obvious until you see how APA attorneys interact with their colleagues and with clients. Diverse attorneys, to overgeneralize and stereotype, are raised to be deferential to their elders. For many, it is even very disrespectful to call elders by their first names. This behavior carries over into the practice of law. We rarely challenge partners' or senior counsels' decisions, even when they disagree with them – the partner is the one who makes the ultimate decision, so we think we are supposed to go along with it. Majority attorneys, on the other hand, have fewer qualms challenging decisions they disagree with, regardless of who made them. Hence, they are seen as being more aggressive and often stand out from the class. Unfortunately, it is those attorneys who usually move up the ranks.

This panel will discuss how to identify and help diverse attorneys speak up, while at the same time, helping partners and senior attorneys decode the deferential language used by diverse attorneys.

Panel Chair: Shirish Gupta, founder and President of Flashpoint Law, Inc

Panelists:

Moderator: Shirish Gupta, founder and President of Flashpoint Law, Inc
Stephen Beard, Vice President, Deputy General Counsel, and Chief Compliance Officer of Heidrick & Struggles International, Inc.
Andy Hahn, Seyfarth Shaw LLP
Judy Lam, Rutter Hobbs & Davidoff

Remaining Relevant (and Keeping Employed) as In-House Counsel **SPONSORED BY OBERMAYER REBMAN MAXWELL & HIPPEL LLP**

In these difficult economic times, in-house counsel are reinventing themselves to take on more responsibility as a result of company downsizing, while at the same time thinking creatively about how they can make a positive contribution to the company. In this program, senior APA in-house lawyers and other legal professionals will examine how cost-cutting and downsizing decisions are made within the organization and focus on how IHCs can add recognizable value to the company by knowing (among other things) the "top 10" key points that IHCs should know about business. Audience Q&A will be encouraged.

Panel Chair: Gordon Yamate, Former Vice President and General Counsel, Knight Ridder, Chair, In-House Counsel Committee

Panelists:

Moderator: Alan Tse, General Counsel, LG Electronics MobileComm USA
Simone Wu, Senior Vice President and General Counsel, XO Holdings

Jane Hyun, Hyun & Associates

John Chou, Senior Vice President, General Counsel & Secretary, AmerisourceBergen Corporation

Denley Chew, Counsel and Assistant Vice President, Federal Reserve Bank of New York

Battling Gentrification in our Asian American Communities

Our Chinatowns, Little Tokyos, Koreantowns, Little Saigon, once a refuge for so many immigrants are being taken over bit by bit via gentrification by private entities with the assistance of government. What are the potential roles that APAL lawyers can play in the survival of such ethnic enclaves, communities that we inhabit during the weekends and family gatherings? This panel discussion will focus on several case studies of the fight against gentrification in the Asian American communities and explore the intersection of legal work and community organizing work under the rubric of community lawyering.

Panel Chair: Professor Andrew Leong, Associate Professor at the Law Center at the University of Massachusetts

Panelists:

Zenobia Lai, Center for Legal Aid Education

Long Nguyen

Bethany Li, Asian American Legal Defense and Education Fund

NOVEMBER 20, 2009 – 3:30 PM

An Informal Conversation With Female Asian Pacific American Federal Judges **SPONSORED BY JUDICIAL COMMITTEE, WOMEN'S LEADERSHIP COMMITTEE AND PUBLIC SECTOR COMMITTEE**

This panel includes an informal discussion with the only two female Asian Pacific American federal judges thus far confirmed in the history of the United States. These judges, confirmed exactly ten years apart, will engage in a candid and informative discussion about a wide range of subjects, including what life behind the bench, being a female litigator and jurist, their expectations from litigants, and what needs to be done to ensure that Asian Pacific Americans are adequately represented in the judiciary.

Panel Chairs: John C. Yang, Co-Chair, NAPABA Judiciary Committee
Wendy Chang

Panelists:

Kathy Hirata Chin, Moderator, Partner, Cadwalader, Wickersham & Taft LLP

The Honorable Kiyo A. Matsumoto, Judge, United States District Court for the Eastern District of New York

The Honorable Susan Oki Mollway, Chief Judge, United States District Court for the District of Hawaii

Sea Change in Business Method and Software Patents: How Will Method-Type Patents Be Judged in a Post-*Bilski* World? **SPONSORED BY FINNEGAN HENDERSON FARABOW GARRETT & DUNNER LLP**

In late 2008, the Federal Circuit in *In re Bilski* articulated a "machine or transformation" test for method-type patent claims, but expressly declined to elaborate on the "machine" prong of the test and specifically whether or when citing to a computer would be sufficient to tie a process claim to a machine. As a result, this decision and the relevant post-*Bilski* cases now leave open significant questions about the fundamental issue of patentable subject matter, especially critical in such fields as banking and finance, consulting, insurance and software in which such patents have often been obtained and asserted. These questions are of such importance that the U.S. Supreme Court may potentially address them in its Fall Term, as a petition for certiorari in *Bilski* is pending. The panel will explore: (i)

the outlook for existing and prospective patents relating to business methods and software in light of *Bilski*; (ii) the implications of the certiorari petition and impact of any Supreme Court review; and (iii) potential changes in the ways that companies procure and enforce patents that might help them undertake such activities more effectively.

Panel Chair: Gene Lee, Ropes & Gray, LLP

Panelists:

Ankur Shah, Freddie Mac
Henry Su, Howrey LLP
Ching-Lee Fukuda, Ropes & Gray, LLP

General Counsel - Best Practices to Attract Diverse Candidates **SPONSORED BY CHOATE HALL & STEWART LLP**

This panel will provide an open and frank discussion where general counsel of various companies will share their experiences and recommendations relating to how companies can attract diverse candidates. Further, each of the companies that will participate on this panel will have at least one liaison present so that the discussed recommendations can be implemented post-conference.

Panel Chair: Charlotte Kim, Choate Hall & Stewart

Panelists:

Moderator: Charlotte Kim, Choate Hall & Stewart
Colin Owyang, Esq., Senior Vice President and US General Counsel, National Grid USA
Mark Roellig, Esq., Executive Vice President and General Counsel, MassMutual Financial Group
Vivian Tseng, Esq., Vice President, Legal and General Counsel, Welch Foods Inc.

Hot Topics in Labor and Employment Law for 2009

This panel will discuss the recent labor and employment law changes, including legislative and policy matters, such as the new initiatives of the Equal Employment Opportunity Commission, the amendments to the Family Medical Leave Act (FMLA) regulations, the Americans with Disabilities Act Amendments Act (ADAAA), the Employee Free Choice Act (EFCA), the Re-Empowerment of Skilled and Professional Employees and Construction Tradeworkers Act (RESPECT), Consolidated Omnibus Budget Reconciliation Act (COBRA) subsidies, and the Lily Ledbetter Act. Information regarding these changes and their effect on both employers and employees will be presented by leading experts from the federal government, as well as private practice. The panelists will also discuss recent state and federal case law interpreting these provisions or policy shifts.

Panel Chair: Tanya A. Bovée, Jackson Lewis LLP

Panelists:

Moderator: Vivian Hsu, Hsu & Associates LLC
Kay Kyungsun Yu, Pepper Hamilton LLP
Stuart J. Ishimaru, Commissioner of the U.S. Equal Employment Opportunity Commission (EEOC)
Edward Shin, Senior Corporate Counsel to Welch's

The Subtle Art of Corporate Lawyering: Effectively Communicating with your Management Team and Board **SPONSORED BY KATTEN MUCHIN ROSENMAN LLP**

Senior APA in-house lawyers and other legal professionals will share their advice on delivering difficult news/advice to their clients. Audience Q&A will be encouraged.

Panel Chair: Gordon Yamate, Former Vice President and General Counsel, Knight Ridder, Chair, In-House Counsel Committee

Panelists:

Moderator: Don Liu, Senior Vice President, General Counsel and Secretary, Xerox Corporation

Ellen Shin, General Counsel, Alta Hospitals System, LLC

Hoil Kim, Vice President, General Counsel and Secretary of GT Solar

Lee Cheng, General Counsel, NewEgg

My Linh Vu-Grégoire, Partner, Jones Day

Legal Support and Non-Profit Organizations: The Role of Legal Aid Domestic Violence Advocacy

The program will focus on the legal advocacy in the non-profit sector especially as it pertains to domestic violence. The speakers will explore and discuss the challenges, the nuances and the legal implications of working with survivors of domestic violence.

Panel Chair: Linda Chin, President Asian Task Force Against Domestic Violence

Panelists:

Simone Bui

Janet Donovan, Casa Myrna Vazquez, Inc.

Manisha Bhatt, Greater Boston Legal Services

Immigration Concerns in a Global Economic Slowdown – Corporate Restructuring, Layoffs, and Reorganization

With global expansion and international offices, the trend is for corporate clients to engage the special services of immigration counsel to work with the corporate attorney team and evaluate the immigration issues in such a deal. Immigration counsel can assist both sides of a corporate scenario – whether representing the Seller or the Buyer. Whether you have a workforce of 10 or 10,000, the impact of a corporate restructuring is important to all parties. A corporate restructuring is most important to workers on visas and in the process of labor certification sponsorship, as many of these petitions are employer-specific and require employer sponsorship. If a new employer steps into the picture, the continuance of such immigration petitions is questionable.

Panel Chairs: Margaret Wong, Margaret W. Wong & Associates Co., L.P.A.

Jared Leung

Panelists:

Jared C. Leung, Moderator

Lori Pinjuh, Margaret W. Wong & Associates Co., L.P.A.

Gordon Quan, FosterQuan, LLP

Rick Su, Associate Professor of Law at the State University of New York at Buffalo Law School

NOVEMBER 21, 2009 – 9:00 AM

Serving Our Military Servicemembers and Veterans: An introduction to providing pro bono and other legal assistance under USERRA and SCRA

This program will introduce you to the most common legal issues that military service members and veterans will face when they are in the military. The Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA, 38 U.S.C. §§ 4301 – 4335) is a federal law intended to ensure that persons who serve or have served in the Armed Forces, Reserves, National Guard or other “uniformed services:” (1) are not disadvantaged in their civilian careers because of their service; (2) are promptly reemployed in their civilian jobs upon their return from duty; and (3) are not discriminated

against in employment based on past, present, or future military service. The Service member's Civil Relief Act (SCRA) provides a wide range of protections for individuals entering, called to active duty in the military, or deployed service members.

Panel Chair: Major Kay Wakatake, U.S. Army Judge Advocate General's Corps

Panelists:

Brad Yamauchi, Minami Tamaki

Proposed US International Tax Reform and Potential for Profound Impact on Business Viability, Corporate Legal Structure and Competitiveness of US Multinationals **SPONSORED BY DLA PIPER LLP US**

Panelists will discuss the current state of international tax and transfer pricing law, competing proposals in the US (including recent Obama International Tax Reform Proposal), key trends around the world, and what they mean for US companies and their long term viability and competitiveness; a portion of the discussion will address the impact on US jobs and trends in outsourcing, impact to investment in high tech and clean tech, revenue potential to close/mitigate the US deficit.

Panel Chair: Sang Kim, DLA Piper

Panelists:

Trina Oettinger - Partner DLA Piper

Craig Rancourt - VP Tax and Treasury Vertex Pharmaceuticals

Mike Gosk - Senior Tax Counsel GE

The Wild Wild East: The New Frontier of IP in China

As companies look East to do business in China, intellectual property presents unique challenges and interesting opportunities. This panel will address current landscape of IP protection and enforcement in China with a focus on what US IP practitioners and in-house counsels should be aware of to maximize international IP protection and minimize IP exposure. Experts in Chinese and US IP law will highlight recent trends and cases impacting decisions when doing business in China, including the much anticipated Third Amendments to Chinese Patent Law taking effect on October 1, 2009.

Panel Chairs: Esther H. Lim, Finnegan, Henderson, Farabow, Garrett & Dunner, LLP
Henry C. Su, Howrey LLP

Panelists:

Moderator: Christian Na, Danaher, Product ID Platform

Esther H. Lim, Finnegan, Henderson, Farabow, Garrett & Dunner, LLP

Cecilia X. Y. Lou, King & Wood

Xuqiong (Joanna) Wu, Patent Attorney, Formerly with Caterpillar Inc. (Asia Pacific IP Office)

Fourth of July Fireworks in the Courtroom *(Session will run from 9:00am – 12:00pm)*

Mock trial with commentary from experienced judges. Leading trial attorneys will demonstrate the skills and techniques that have helped them achieve success in the courtroom. The trial will be based on an actual prosecution brought in Ocean Shores, Washington against a Vietnamese American man for killing a white man waving a Confederate flag on 7/4/00. The defendant claimed he acted in self defense after he and his brother were attacked by a group of skinheads shouting racial slurs. The actual trial ended in a hung jury.

Panel Chairs: Marilyn Go, U.S. Magistrate Judge, E.D.N.Y.

Sophia Lee, Senior Litigation Counsel, Sunoco, Inc

Panelists:

Norman Bay, Professor of Law at the University of New Mexico School of Law
Vincent T. Chang, Partner Wollmuth Maher & Deutsch
David Wellington Chew, Chief Justice of the Eighth District Court of Appeals in Texas
Linda Chew, Judge of the 327th Judicial District Court in El Paso, Texas
Marilyn D. Go, United States Magistrate Judge for the Eastern District of New York
Joan Mei Haratani, Partner, Morgan Lewis
Grace H. Lee, General Counsel & Deputy Treasurer of Massachusetts
Sophia Lee, Senior Litigation Counsel, Sunoco, Inc.
William F. Lee, Co-managing partner of WilmerHale

Diversity in Large Law Firms in an Economic Downturn: APA Lawyers Surviving and Succeeding in a Turbulent Market **SPONSORED BY THE ROCKEFELLER GROUP**

Continuing NAPABA's efforts to advance APA diversity in the legal community, this session builds on the success of the 2008 Diversity Symposia and recent Convention Panels. We will present quantitative data about APA lawyers in large law firms based on a new NAPABA/NLF diversity survey as well as qualitative data and perspectives on the economic downturn and the possible impact on APA lawyers. The session will feature leaders in various areas of the profession who will share their knowledge, insights and experiences and give context to the survey findings. The Panel will engage the audience in a dialogue about the pressing economic downturn, how it has impacted APA lawyers, and what the data suggest about how APA lawyers are perceived for retention, advancement, promotion and senior leadership positions.

Panel Chairs: Peggy A. Nagae, Principal, [peggynagae](http://peggynagae.com) consulting

Bruce L. Ishimatsu, Partner, Bird Marella Boxer Wolpert Nessim Dooks & Lincenberg

Panelists:

Simone Wu, Senior Vice President, General Counsel and Secretary, XO Holdings
Paul W. Lee, Partner, Goodwin Procter LLP
Veta T. Richardson, Executive Director, Minority Corporate Counsel Association
Kristin Lane, Assistant Professor, Bard College

Building and Projecting Executive Presence: Strategies and Best Practices for Achieving and Sustaining Executive Leadership for In-House, Law Firm and Public Sector Attorneys **SPONSORED BY K&L GATES**

This session seeks to identify critical insights and best practice recommendations for developing and extending "Executive Presence".

The distinguished panel of Asian American leaders who have succeed at the highest levels in corporate America, government/public service and multi-national law firms will share practical tips and techniques applicable to attorneys across career stages who are dedicated to making an impact, influencing decisions and connecting with and motivating others to the maximum extent of their personal capabilities to achieve greater overall organizational and team success.

Panel Chair: Christopher M. Koa, Dell Inc. – Counsel

Panelists:

Laurence P. Tu, Dell Inc. – Senior Vice President & General Counsel
Ivan Fong, United States Department of Homeland Security, General Counsel
Wilson Chu, K&L Gates, Partner

NOVEMBER 21, 2009 – 10:30 AM

Defending the Asian American Vote SPONSORED BY WEIL, GOTSHAL & MANGES LLP

In past elections, Asian Americans have faced a series of barriers in exercising their right to vote. Then, when the news media reports on election returns and the vote by specific groups, Asian Americans were often overlooked. In response, Asian American attorneys have had to monitor elections for compliance with the federal Voting Rights Act and to guard against anti-Asian voter discrimination. A number of lawsuits were initiated to protect Asian American voters. This panel will survey Asian American voting patterns, discuss the requirement for language assistance, and showcase successes of how local bar associations and pro bono attorneys can defend against anti-Asian voter disenfranchisement.

Panel Chair: Glenn D. Magpantay, Asian American Legal Defense and Education Fund and NAPABA Civil Rights Committee

Panelists:

Glenn D. Magpantay, Moderator, Staff Attorney, Asian American Legal Defense and Education Fund
Julie A. Fernandes, Deputy Assistant Attorney General for Civil Rights at the U.S. Department of Justice
Cindi Mark, Greater Boston Legal Services, Asian Outreach Unit
Hemmie Chang, Partner and Pro Bono Volunteer Attorney, Ropes & Gray LLP

**General Counsel Survival Skills: Critical Issues in an Even More Challenging Environment
SPONSORED BY DAVIS POLK & WARDWELL**

This panel will serve as a follow-on program to last year's presentation focusing on substantive, strategic and tactical issues faced by General Counsels. Panelists, consisting of both general counsels of publicly-traded companies and outside corporate counsel, will share their insight in changing legal environments, examining new developments and strategies in Exec Comp "say on pay," shareholder proposals, NYSE Rule 452 changes regarding broker discretionary voting, public disclosure and other corporate governance issues. Audience Q&A will be encouraged.

Panel Chair: Gordon Yamate, Former Vice President and General Counsel, Knight Ridder, Chair, In-House Counsel Committee

Panelists:

Moderator: Gordon Yamate, Former Vice President and General Counsel, Knight Ridder, Chair, In-House Counsel Committee
Sandra Leung, Senior vice President, General Counsel and Corporate Secretary, Bristol-Myers Squibb
Hyun Park, Senior Vice President and General Counsel, PG&E Corporation
Ning Chiu, Counsel, Davis Polk & Wardell
John Chou, Senior Vice President, General Counsel & Secretary, AmerisourceBergen Corporation
A.B. Cruz, III, Senior Vice President/General Counsel, The E. W. Scripps Company

How Can APA Firms Thrive – No Matter the Economy

APA firms have built successful business models that have allowed them to thrive in good and bad economies. Learn how these models have been developed and what advantages an APA firm can exploit – no matter the economy. See what you can implement now to increase your chances of success.

Panel Chair: Michael Shimokaji, Shimokaji & Associates, P.C.

Panelists:

Moderator: Michael Shimokaji, Shimokaji & Associates, P.C.

Linda Wong, Wong Fleming

John Lim, Lim, Ruger & Kim

Gary Yoshimura

The Revolution from Within: Promoting APA Progress Through Legislative Means

How does a race/ethnicity-based community that is geographically dispersed advance its agenda in our representative democracy? That question lies at the core of this panel, which explores the work of community activists and NGOs seeking to promote the APA interest through legislative channels. In particular, what are the substantive issues at the forefront of the “APA agenda” at the moment? How are activists and NGOs pursuing their agenda? What are the best ways to advocate APA Community concerns with legislators and their staff? How has the change in Administration impacted Congress’s interest and ability press APA issues? How should the APA community package its advocacy to better appeal to the mainstream, and how do would-be advocates present a forceful front when the APA community itself is—at times--fragmented? Panelists will represent both advocates and legislators for a balanced and informed discussion.

Panel Chairs: H. Bob Sakaniwa, Acting Director of Advocacy at the American Immigration Lawyers Association

Caroline T. Nguyen, WilmerHale

Panelists:

Congressman Mike Honda, 15th Congressional District of California, U.S. House of Representatives

Congressman Anh "Joseph" Cao, Louisiana's 2nd Congressional District Representative

Sam Yoon, Member, Boston City Council

Karen K. Narasaki, President and Executive Director of the Asian American Justice Center (AAJC)

Tuyet G. Duong, Senior Staff Attorney for the Immigration and Immigrant Rights Program with the Asian American Justice Center (AAJC)